

Application No. 10/070,302

Filed: May 1, 2002

TC Art Unit: 1641

Confirmation No.: 2837

REMARKS

Claims 1, 3, 4, 5, 7-12, 14 and 15-18 are pending in the present application. Claims 1, 4, 9-11 and 16-18 have been amended above. The amendments have support within the specification such that new matter has not been presented. Claims 1, 3, 4, 5, 7-12, 14 and 15-18 should be pending on entry of the amendments herein.

The above amendments to the claims should not be construed as acquiescence to the rejections by the Examiner and were provided solely to expedite the prosecution of the application. Applicants reserve the right to pursue the claims as originally filed in the present or a separate application(s).

Applicants respectfully request reconsideration and withdrawal of the rejections maintained by the Examiner in view of the above amendments and remarks herein.

Claim Rejections 35 U.S.C. § 112

In an advisory action to the present application, the Examiner had maintained that the pending claims were rejected under 35 U.S.C. § 112. In particular, the Examiner indicated that the term "cyclic moiety" was unclear. Applicants respectfully submit that the pending claims have been amended such that the claims do not recite a cyclic moiety.

The Examiner has also maintained the rejection of claims 9-11 as the claims did not recite conjugation of an *immunogenic* carrier. Claims 9-11 were previously rejected in a final office action of June 28, 2004. Applicants encourage that the Examiner review the final office action with regard to the rejection of claims 9-11. Applicants further underscore that the amendments to claims 9 and 10 clearly overcome the rejections of claims 9-11 by the Examiner.

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Claim Rejections 35 U.S.C. § 102

In an advisory action to the present application, the Examiner had maintained that the pending claims were rejected under 35 U.S.C. § 102. In particular, the Examiner indicated that the cyclic moiety of the pending claims was anticipated by the prior art. The pending claims have been amended by Applicants such that the claims do not recite a cyclic moiety.

Claim Rejections 35 U.S.C. § 103

In an advisory action to the present application, the Examiner had maintained that the pending claims were rejected under 35 U.S.C. § 103. In particular, the Examiner indicated that the cyclic moiety of the pending claims was obvious based on the prior art. The pending claims have been amended by Applicants such that the claims do not recite a cyclic moiety.

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CONCLUSION

Based on the remarks presented herein, reconsideration and withdrawal of the maintained rejections and allowance of the application with the pending claims are respectfully requested.

The Examiner is also encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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